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EUR FOR DAS JONES & DAS GARBER

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TAGS: [PREL](#) [PGOV](#) [SI](#) [EUC](#) [HR](#)  
SUBJECT: MEETING WITH PRESIDENT MESIC ON SLOVENE BORDER  
DISPUTE/REHN PROPOSAL

REF: ZAGREB 00215

Classified By: Robert A. Bradtke, Ambassador, for reasons 1.4 (b) &(d).

¶1. (c) In a one-on-one with President Mesic this morning (April 27), I told President Mesic that the United States was following closely the progress of EU Commissioner Rehn's efforts to establish a mechanism to arbitrate the Croatia-Slovenia border dispute and unblock Croatia's EU accession talks. For the United States, I said, this was not just about Croatia, but the future of Southeastern Europe. The United States believed that bilateral disagreements should not be used to block progress towards Euro-Atlantic integration. The United States, therefore, welcomed the progress that had been made in the Rehn talks last week.

¶2. (C) Noting that only Croatia could decide whether the latest Rehn proposal was acceptable and in its interests, I gave Mesic my view that the proposal contained important elements of international law, as Croatia had insisted, that it would lead to the unblocking of Croatia's accession talks, and it could prevent the further poisoning of bilateral relations between Croatia and Slovenia. For these reasons, I hoped that Croatia would respond quickly and positively to the proposal.

¶3. (C) Responding, Mesic said that the Rehn proposal was still somewhat general, rather than detailed. However, he saw the proposed five person panel, including the option of having the President of the ICJ name three jurists, as particularly important. His one concern was the language in the proposal about Slovenian "contact with international waters." It was not clear, Mesic said, what this meant.

¶4. (C) I commented that there was obviously ambiguity on this point, and perhaps from Croatia's perspective a certain risk. However, my assessment was that this ambiguity would be important for Slovenia's acceptance of the proposal and if Croatia was confident of its position under international law, it was a risk worth taking. I also added that I saw no other process, either involving the United States or the EU, that could bring a resolution of the border issue. In a brief rejoinder, Mesic said that he was less concerned about the point on "contact with international waters" after seeing the language of the Rehn proposal stating that the boundary line would be drawn in accordance with the principles of international law.

¶5. (C) Finally, I told Mesic that Croatia needed to be careful in any statements it made about the latest Rehn proposal. Portraying it as a victory for Croatia, rather than as something in the interests of both countries, could make it hard for the Slovene government to accept. Mesic agreed, saying that it would be important to give the Slovene government the chance to "save face."

¶6. (C) Comment. Mesic did not say "yes" or "no," and there will be further discussion this week within the Croatian

government about the Rehn proposal. However, he listened closely to my points and can be under no illusion that we see any alternative to what Rehn has put on the table. I expect to be able to follow-up with Prime Minister Sanader later this week.

BRADTKE